BILL NO. Z-71-06-23

ZONING MAP ORDINANCE NO. Z-150-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended By General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. AA-17 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A triangular shaped space bounded on the North by Washington Center Road bounded on the South by the North right of way line of Interstate Highway #69 and bounded on the West by the West line of the East 1/2 of Section 23, Township 31 North, Range 12 East, More particularly described as follows:
Real Estate in the East half of the Northwest quarter of Section 23, Township 31 North, Range 12 East in Allen County, Indiana, described as follows:
Commencing at the Northwest corner of the East 1/2 of said Northwest quarter section, thence a distance of 390 feet to a point, thence south 58 degrees 30 minutes West along the North right of way of Interstate #69 a distance of 457.4 feet to a point on the West line of said East 1/2 of said Northwest quarter section, thence North along said West line a distance of 238 feet to the point of beginning, containing 1.07 acres, more or less, Deed Record Book 706, Page 565.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Councilman

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) ~~(and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 19 ___, at _____ o'clock ~~P.M., E.S.T.~~

Date: 6-22-71 Frank E. Bonahoom
City Clerk

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

AYES 8,	NAYS 0,	ABSTAINED ____,	ABSENT 1 to-wit:
Adams ✓			
Dunifon ✓			
Fay ✓			
Geake ✓			✓
Nuckols ✓			
Robinson ✓			
Rousseau ✓			
Steigerwald ✓			
Tipton ✓			

Date 8-10-71 Frank E. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(~~General~~)(~~Annexation~~)(~~Special~~)(~~Appropriation~~) Ordinance (~~Resolution~~) No. Z-150-71 on the 10th day of August, 19 71.

ATTEST: (SEAL)

Frank E. Bonahoom
City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of August, 19 71 at the hour of 8:30 o'clock A.M.,E.S.T.

Frank E. Bonahoom
City Clerk

Approved and signed by me this 12th day of August, 19 71, at the hour of 11:17 o'clock A.M.,E.S.T.

Harold E. Zeis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 22, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-06-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 19, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 26, 1971.

Certified and signed this 9th day of August 1971.

Mary Ann Haynie

Mary Ann Haynie
Secretary

Bill No. Z-71-06-23

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. AA-17.

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman — Herbert G. Tipton

JACK K. DUNIFON, Vice-Chairman — Jack K. Dunifon

THOMAS G. ADAMS — Thomas G. Adams

WILLIAM K. GEAKE

JOHN H. ROBINSON — John H. Robinson

CONCURRED IN

DATE 8-10-71 FUAD G. BONAHOOM, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

No. 77

GENERAL FUND

FT. WAYNE, IND., June 7th 19 71

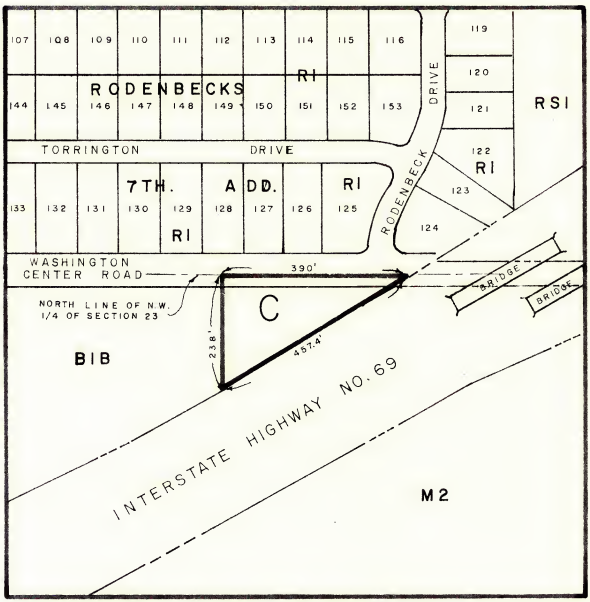
RECEIVED FROM Edwin R. Thomas $ 50.00

THE SUM OF Fifty-dollars & 00/100 DOLLARS

ON ACCOUNT OF Rezone Petition - E½ of N.W ¼ Sec. 23 T 31 - R 12 E.

Rebecca Ann Bauer

AUTHORIZED SIGNATURE



C CHANGE FROM RB TO BIB

Z-71-06-23

N

DATE 6-7-71

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

No. _____

DATE FILED: _____

INTENDED USE: _____

I/~~We~~ Fred C. Silkworth

Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an RB District to a B1B District the property described as follows:

A triangular shaped space bounded on the North by Washington Center Road bounded on the South by the North right of way line of Inter State Highway # 69 and bounded on the West by the West line of the East 1/2 of Section 23, Township 31 North, Range 12 East.

More particularly described as follows:

General Description (Prepared by Planning Staff)

Real Estate in the East half of the Northwest quarter of Section 23, Township 31 North, Range 12 East in Allen County, Indiana, described as follows: commencing at the Northwest corner of the East one-half (1/2) of said Northwest quarter section; thence a distance of 390 feet to a point, thence south 58 degrees 30 minutes West along the North right of way of Interstate #69 a distance of 457.4 feet to a point on the West line of said East one-half (1/2) of said Northwest quarter section, thence North along said ~~West line a distance of 238 feet to the point of beginning, containing~~ 1.07 acres, more or less, Deed Record Book 706, Page 565.

Legal Description

Legal Description Checked by (City Engineer) C. Lawrence Embury for Ken Brown

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/~~We~~ hereby certify that as the undersigned, I am/~~We are~~ the owner ~~(s)~~ of fifty-one percentum or more of the property described in this petition. All of the property.

Name	Address	Signature
SILKWORTH CONSTRUCTION CO, INC.	501 Wolf Drive Fort Wayne, Ind. 46825	
By: Fred C. Silkworth Fred C. Silkworth, President	501 Wolf Dr.	
By: Paul D. Hatfield Paul D. Hatfield, Secretary	6116 Salge Dr.	

This petition for zoning ordinance amendment prepared by:

Name	Address	Telephone Number
Edwin R. Thomas	508 Strauss Building Fort Wayne, Ind. 46802	422-8421

DEDICATION

We, SILKWORTH CONSTRUCTION COMPANY, INC.

of Allen County, Indiana, hereby dedicate to the public for street (or _____) purposes, in consideration of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, a strip of land in Allen County, Indiana, described as follows:

40 feet South of the center line of Washington Center Road as per the attached certificate of survey.

Witness our hands and seals this 29th day of July, 19[illegible].

Fred C. Silkworth (SEAL)
Fred C. Silkworth

_____ (SEAL)

STATE OF INDIANA)
) SS:
[illegible])

Before me, a Notary Public in and for said County and State, this [illegible] day of July, 19~~6X~~71, personally appeared Fred C. Silkworth and _____, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

Paul D. Hatfield
Notary Public

[illegible]

_____

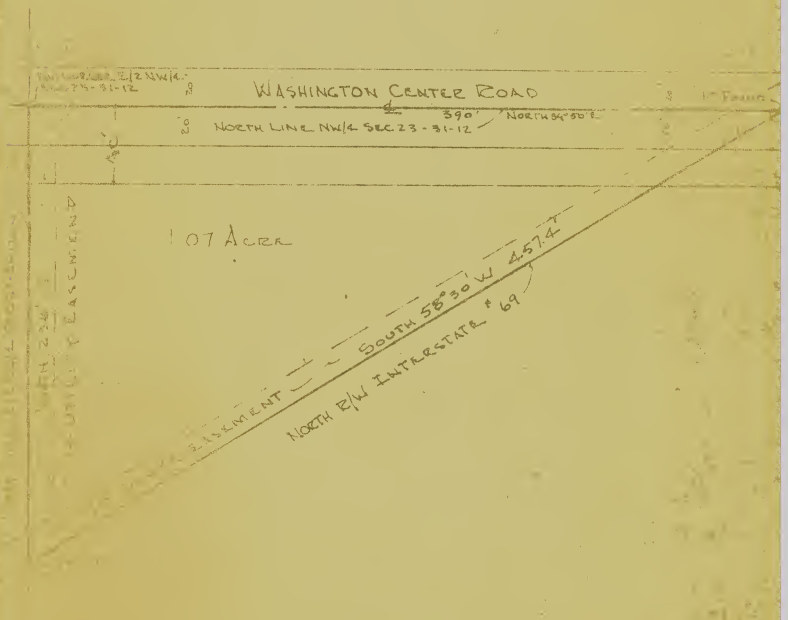
Silkworth Construction Company, Inc.

Wm. C. BAER
REGISTERED PROFESSIONAL ENGINEER
4149 AVONDALE DRIVE
Telephone

Certificate of Survey

The undersigned Engineer, Registered as provided by an Act of the 79th General Assembly [illegible] certifies that he has made a survey of real estate in the East half of the Northwest [illegible] 23, Township 31 North, Range 12 East in Allen County, Indiana, specifically described [illegible] commencing at the Northwest corner of said Northwest quarter section [illegible] minutes East along the North line of said Northwest quarter section [illegible] to a point, thence South 58 degrees 30 minutes West along the North right of [illegible] state # 69 a distance of 457.4 feet to a point on the West line of said Northwest [illegible] North along said West line a distance of 238 feet to the point of beginning, containing 1.07 acres, more or less, subject to a County Road easement across the North [illegible]

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and [illegible] of the property described, and in conformity with the records in the office of the County Recorder, Allen County, Indiana. No encroachments or overhang existed, except as noted hereon, and the dimensions and lines of the property are indicated on the following plat.



The above Survey, Plat and Certificate are hereby certified correct.

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

1" = 50'

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	-
Body	number of lines	91
Tail	number of lines	1
	Total number of lines in notice	92

COMPUTION OF CHARGES

92 lines, columns wide equals equivalent lines at .288¢ cents per line	$ 26.50
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 26.50

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date August 31, 19 71 — Title CLERK

Legal Notices

Notice is hereby given that on the 10th day of August, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:

Bill No. Z-71-06-23

ZONING MAP ORDINANCE No. Z-150-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. AA-17 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

A triangular shaped space bounded on the North by Washington Center Road bounded on the South by the North right of way line of Interstate Highway 69 and bounded on the West by the West line of the East ½ of Section 23, Township 31 North, Range 12 East, More particularly described as follows:

Real Estate in the East half of the Northwest quarter of Section 23, Township 31 North Range 12 East in Allen County, Indiana, described as follows:

Commencing at the Northwest corner of the East ½ of said Northwest quarter section, thence a distance of 390 feet to a point thence south 58 degrees 30 minutes West along the North right of way of Interstate 69 a distance of 4574 feet to a point on the West line of said East ½ of said Northwest quarter section, thence North along said West line a distance of 238 feet to the point of beginning containing 1.07 acres, more or less, Deed Record Book 706, Page 66.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor and legal publication thereof.

HERBERT G. TIPTON, Councilman.

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted placed on its passage. Passed by the following vote:

Ayes: eight

Adams, Dunlon, Fay, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Noys: None.

Absent are to-wit: Councilman Cooke.

Date: 8-10-71.

FUAD G. BONAHOOM, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-150-71 on the 10th day of August, 1971.

ATTEST:

FUAD G. BONAHOOM, City Clerk.

PHIL A. STEIGERWALD, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of August, 1971 at the hour of 8:30 o'clock, A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk.

Approved and signed by me this 13th day of August, 1971, at the hour of 11:17 o'clock, A.M. E.S.T.

HALD S. ZEIS, Mayor.

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-150-71 passed by the Common Council on the 10th day of August, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 13th day of August, 1971 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 13th day of August, 1971.

FUAD G. BONAHOOM, City Clerk.

8—23-30.

PUBLISHER'S AFFIDAVIT

State of Indiana, ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

August 23, 1971
August 30, 1971

Arvilla DeWald

Subscribed and sworn to before me this 31st day of August 19 71

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev 1967)

Common Council-City of Ft. Wayne. (Governmental Unit) — To NEWS-SENTINEL Dr.

Allen County, Ind. — FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	-
Body	number of lines	91
Tail	number of lines	1
	Total number of lines in notice	92

COMPUTION OF CHARGES

92 lines, columns wide equals equivalent lines at .2884 cents per line	$ 26.50
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 26.50

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date August 31, 19 71 — Title Clerk

Notice is hereby given that on the 10th day of August, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:
Bill No. Z-71-06-23
ZONING MAP ORDINANCE No. Z-150-71
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-17.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2036 and amendments thereto and the symbols on the City of Fort Wayne Zoning Map No. AA-17 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:
A triangular shaped space bounded on the North by Washington Center Road bounded on the South by the North right of way line of Interstate Highway 69 and bounded on the West by the West line of the East ½ of Section 23, Township 31 North, Range 12 East. More particularly described as follows:
Real Estate in the East half of the Northeast quarter of Section 23, Township 31 North Range 12 East in Allen County, Indiana, described as follows:
Commencing at the Northwest corner of the East ½ of said Northwest quarter section, thence a distance of 396 feet to a point thence South 38 degrees 38 minutes West along the North right of way of Interstate 69 a distance of 457.4 feet to a point on the West line of said East ½ of said Northwest quarter section, thence North along said West line a distance of 238 feet to the point of beginning containing 1.07 acres, more or less, Deed Record Book 706, Page 565.
SECTION 2. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor and legal publication thereof.
HERBERT G. TIPTON, Councilman.
Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted placed on its passage. Passed by the following vote:
Ayes: eight.
Adams, Dunifon, Fay, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.
Nays: None.
Absent one to-wit: Councilman Geake.
Date: 8-10-71
FUAD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-150-71 on the 10th day of August, 1971.
ATTEST:
FUAD G. BONAHOOM, City Clerk.
PHIL A. STEIGERWALD, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of August, 1971 at the hour of 8:30 o'clock, A.M., E.S.T.
FUAD G. BONAHOOM, City Clerk.
Approved and signed by me this 10th day of August, 1971, at the hour of 11:17 o'clock, A.M. E.S.T.
HALD S. ZEIS, Mayor.
I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-150-71 passed by the Common Council on the 10th day of August, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 10th day of August, 1971 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 13th day of August, 1971.
FUAD G. BONAHOOM, City Clerk.
8—23-30.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

August 23, 1971
August 30, 1971

A. M. Hostman

Subscribed and sworn to before me this 31st day of August 19 71

Edith Stapleton
Notary Public

My commission expires March 8, 1974